By the Commissioner of Patents and Trademarks, The United States of America.

(b) Patents are granted by respective Governments under their Patents laws. Whenever information is received about patents being taken on certain products which are of commercial interest to India and which in our views do not satisfy the criteria of patentability, steps are taken to assess whether the grant of patent can be challenged. After sufficient material is gathered, a challenge petition is filed for re-examination and Ultimate revocation of patent in that country.

(c) India is a party to the Convention on Biological Diversity (CBD) which aims at conservation of biological diversity, sustainable use of its components and equitable sharing of benefits arising out of the utilisation of genetic resources.

Rising Trend in Import

796. SHRI JANARDHANA POOJARY: Will the Minister of COMMERCE be pleased to state:

(a) whether imports have shown rising April—September, 1998-99.

(c) There has been an increase in overall imports primarily due to increase in imports of gold and silver.

(d) The Government has not taken any specific additional measures in the past few months to specificially curb imports. The only instrumentality available with the Government has been placement of items on restricted list. No movement has taken place from free list to restricted list of imports in the past few months.

Engagement of TCS to Study FIEO

797. SHRI RAGHAVJI: Will the Minister of COMMERCE be pleased to state:

(a) whether the Federation of Indian Export Organisations has engaged Tata Consultancy Services to study the various aspects of the working of FIEO and of the country's exports trade , etc.; and (b) if so, the details of the report?

THE MINISTER OF COMMERCE (SHRI RAMAKRISHNA HEGDE): (a) and (b) Yes, Sir. M/s. Tata Consultancy Services are still in the process of completing the study.

Review of Value-Based Advance Licencing Scheme

798. SHRI VEDPRAKASH P. GOYAL: Will the Minister of COMMERCE be pleased to state:

(a) whether the value-based Advance Licensing Scheme is under review;

(b) whether it is a fact that in the recent past many exporters have misused the scheme;

(c) the loopholes in the scheme; and

(d) the action taken against the offenders?

THE MINISTER OF COMMERCE (SHRI RAMAKRISHNA HEGDE): (a) to (d) The Value Based Advance Licensing Scheme has been discontinued with effect from 1st April, 1997. Complaints of misuse of the scheme have not been received in the recent past. Provisions exist in the Foreign Trade (Development & Regulation) Act, 1992, for taking penal action against the offenders. Detailed Enforcement Guidelines were issued in this regard by the Director General of Foreign Trade to the field formations of D.G.F.T. in October, 1997, for dealing with cases of suspected misdeclaration of value, suggesting the following penal action, namely:

(i) Cancellation of licence;

(ii) Imposition of fiscal penalty;

(iii) Cancellation of Importer-Exporter Code numb[r] .